

House File 211 - Introduced

HOUSE FILE 211

BY WHEELER

A BILL FOR

1 An Act relating to the limitation of actions for the offense
2 of accessory after the fact involving a kidnapping, and
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 802.3, Code 2017, is amended to read as
2 follows:

3 **802.3 Felony — aggravated or serious misdemeanor.**

4 In all cases, except those enumerated in [section 802.1](#),
5 [802.2](#), [802.2A](#), [802.2B](#), [802.2C](#), [802.2D](#), [802.3A](#), or [802.10](#),
6 an indictment or information for a felony or aggravated or
7 serious misdemeanor shall be found within three years after its
8 commission.

9 Sec. 2. NEW SECTION. **802.3A Accessory after the fact.**

10 An indictment or information for the offense of accessory
11 after the fact in violation of section 703.3 that involves a
12 kidnapping in violation of section 710.2, 710.3, or 710.4 shall
13 be found within ten years after commission of the offense of
14 accessory after the fact.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill relates to the limitation of action (statute of
19 limitations) for the criminal offense of accessory after the
20 fact involving kidnapping.

21 The bill provides that an indictment or information for
22 the offense of accessory after the fact in violation of Code
23 section 703.3 that involves a kidnapping in violation of Code
24 section 710.2 (kidnapping in the first degree), Code section
25 710.3 (kidnapping in the second degree), or Code section 710.4
26 (kidnapping in the third degree) shall be found within 10
27 years after the commission of the offense of accessory after
28 the fact. Current law provides that such violation shall be
29 found within three years after the commission of the offense of
30 accessory after the fact.

31 A person who commits the offense of accessory after the fact
32 involving kidnapping in the first degree, second degree, or
33 third degree commits an aggravated misdemeanor.

34 An aggravated misdemeanor is punishable by confinement for
35 no more than two years and a fine of at least \$625 but not more

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1 than \$6,250.